



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

July 13, 2021

BY ECF

The Honorable J. Paul Oetken
United States District Judge
Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, New York 10007

Re: *United States v. Lev Parnas, et al.*, S1 19 Cr. 725 (JPO)

Dear Judge Oetken:

The Government writes regarding pretrial filing and disclosure deadlines relating to the trial in the above-captioned case, which is presently scheduled to begin on October 4, 2021. The Government has proposed a pretrial schedule to defense counsel, but the parties have been unable to reach an agreement, and therefore respectfully request a court conference to set a schedule. The parties are available on Wednesday, July 21, 2021 from 10:00 a.m. to noon, or after 2:30, and on Thursday, July 22, 2021, after 11:30 a.m.

By way of background, the Government has proposed the following pretrial schedule to defense counsel:

- Motions in limine due on August 27, 2021 (or approximately 5 weeks before trial);
- Responses to motions in limine due September 10, 2021 (or approximately 3 weeks before trial);
- Requests to charge and proposed voir dire due September 10, 2021 (or approximately 3 weeks before trial);
- Exhibit and witness list to be produced by the Government on September 6, 2021 (or four weeks before trial); and
- Jencks Act materials to be produced by the Government on September 6, 2021 (or four weeks before trial).

As the Government stated in its opposition to the defendants' pretrial motions, there is no rule that requires the Government to produce its exhibit or witness list, or Jencks Act material significantly in advance of trial. (Dkt. No. 163 at 87-96.) The Government will produce those materials reasonably in advance of trial, which in this District for this type of case typically means three to four weeks in advance of trial. (*Id.* at 93.) Additionally, because the defendants' pretrial motions have not yet been decided, and the outcome of some of those motions will affect the proof the Government will admit at trial, the Government respectfully submits that it should be afforded

sufficient time after a decision on the motions to prepare its disclosures. The defendants have requested that the Government's exhibit list, marked exhibits, witness list, and Jencks Act material should be produced at least 60 days before trial, in early August.

Because the parties have not been able to reach an agreement, the Government respectfully requests that the Court hold a status conference to set a schedule.

Respectfully submitted,

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